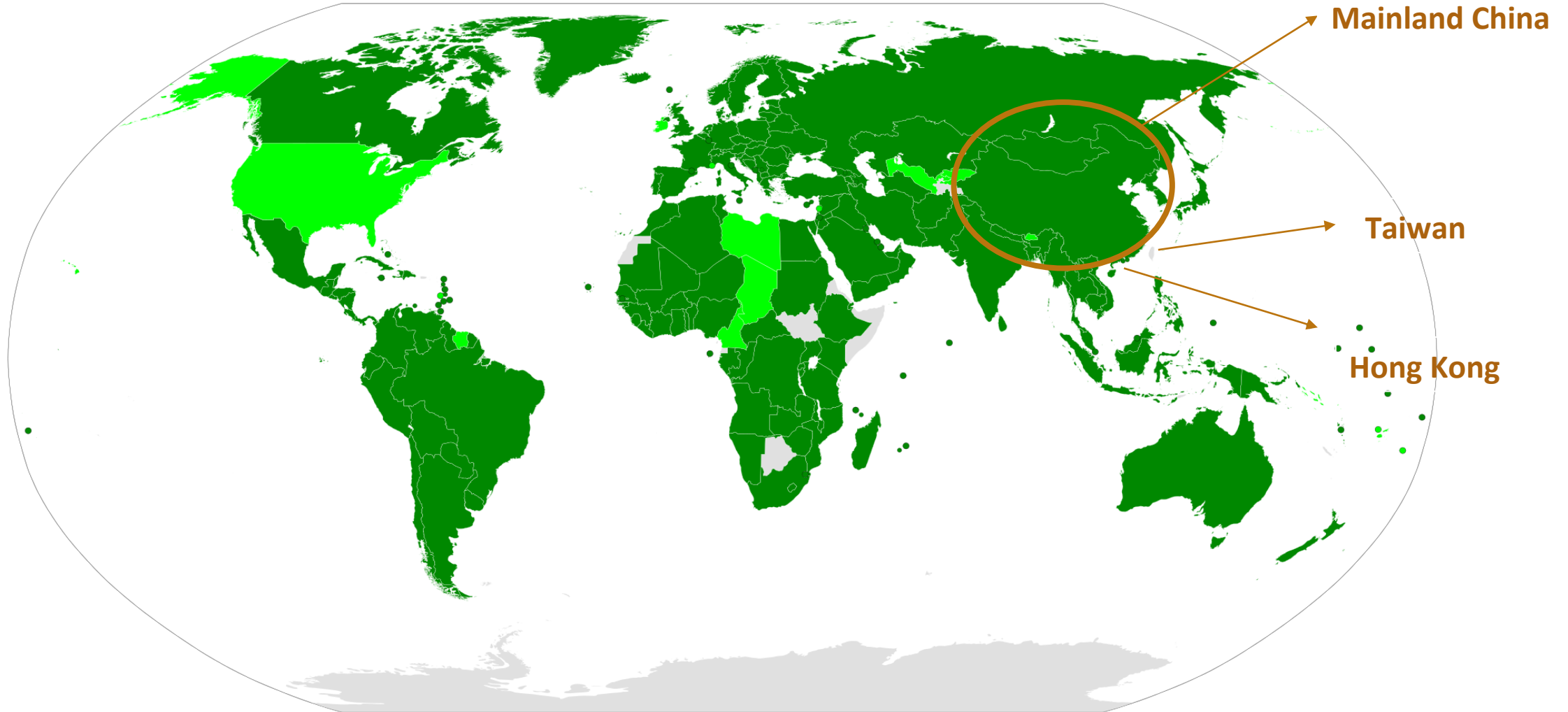


State of the art of the legislation on media accessibility and its implementation in Mainland China, Taiwan and Hong Kong

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International Convention on the Rights of Persons with Disabilities (CRPD)



Mainland China:

- signed it on March 30th, 2007
- ratified it on August 1st, 2008
- did not sign optional protocol

Hong Kong/Macao:

The Government of the PRC declared the Convention shall also apply to the Hong Kong and Macao.

Taiwan:

- Since Taiwan isn't a member of the UN, it is not entitled to sign it.
- However, Taiwan has also developed new legislation to face the new worldwide situation brought up by the CRPD.

Framework legislation

Mainland China	Hong Kong	Taiwan
« <i>Zhonghua Renmin Gongheguo Canjiren Baozhangfa</i> (中华人民共和国残疾人保障法) » [Law on the Protection of Person with Disabilities]: April 2008	« <i>Canji Qishi Tiaoli</i> (殘疾歧視條例)» [Disability Discrimination Ordinance]: May 1996 Different ordinances on different topics briefly mention accessibility issues.	« <i>Shenxin Zhang'aizhe Quanli Gongyue Shixingfa</i> (身心障礙者權利公約施行法) » [Act to Implement the Convention on the Rights of Persons with Disabilities]: 2014
- 5 th paragraph: <i>Cultural Life</i> - 7 th paragraph: <i>Barrier-Free Environment</i>	The Hong Kong law focuses on preventing disabled people from being discriminated at work or public places, ignoring accessibility issues.	Mainly highlights the will to comply with the CRPD and urges the government bodies to start developing related regulations.

Further regulations

Mainland China	Hong Kong	Taiwan
« <i>Shisanwu Jiakuai Canjiren Xiaokang Jincheng Guihua Gangyao</i> (“十三五” 加快残疾人小康进程规划纲要) » [Outline of the 13 th Five-Year Plan For Accelerating the Process of Achieving Moderately Prosperous Life For Persons with Disabilities]: 2016	« <i>Xianggang Kangfu Jihua Fang'an</i> (香港康復計劃方案) » [Hong Kong Rehabilitation Programme Plan]: 2005-2007	« <i>Shenxin Zhang'aizhe Quanyi Baozhangfa</i> (身心障礙者權益保障法) » [Physically and Mentally Disabled Citizens Protection Act]: December 2015
3.6 <i>Enrich the Cultural and Sports Life of Persons with Disabilities</i> 3.7 <i>Promote the Construction of Barrier-Free Environment Comprehensively</i>	Paragraphs covering the issue of accessibility: 11 th <i>Access and Transport</i> 12 th <i>Application of Information and Communications Technologies</i>	The 52 nd code mentions the right to accessibility services to obtain information and to a barrier-free environment.

Reports & UN feedback

	Mainland China	Hong Kong	Taiwan
Document	<i>Concluding observations on the initial report of China, adopted by the Committee at its 8th session (17–28 September 2012)</i> by the Committee on the Rights of Persons with Disabilities	<i>Concluding observations on the initial report of China, adopted by the Committee at its 8th session (17–28 September 2012)</i> by the Committee on the Rights of Persons with Disabilities	<i>Report on Human Rights Index of People with Disabilities in Taiwan (2015)</i> by the Chinese Association for Human Rights (CAHR)
Main conclusions	<p>Positive:</p> <ul style="list-style-type: none"> - Special attention is paid to the protection of disabled workers and children - Achievements in terms of accessibility, such as <i>Law on the Protection of Person with Disabilities</i> and the Implementation Plan for Barrier-Free Construction in the Eleventh Five-Year Plan (2006-2010) 	<p>Positive:</p> <ul style="list-style-type: none"> - Measures for taking action, such as the Disability Allowance and the Learning Support Grants 	<p>Survey's results (0-5):</p> <ol style="list-style-type: none"> 1. Global: 3.00/5 2. Mobility and accessibility to information: 2.74/5
	<p>Negative:</p> <ul style="list-style-type: none"> - Failure to sign the Optional Protocol - Organizations outside of the CDPF do not take a part in the implementation - The medical model of disability - Special education system - Lack of information in rural areas 	<p>Negative:</p> <ul style="list-style-type: none"> - Not homogeneous definitions of disability in different parts of the legislation - Insufficient monitoring mechanisms to assess accessibility in buildings - No official recognition of the importance of sign language 	<p>Conclusion:</p> <p>The protection of disabled people's human rights has improved, but there is still a long way to go as far as community integration and accessibility are concerned.</p>

Agents

Government

**Non-
governmental
organizations**

**Private
companies**

China Disabled Persons' Federation (CDPF)

Rehabilitation Advisory Committee
Equal Opportunities Commission

Social and Family Affairs Administration
Ministry of Health and Welfare

Sound of Light (光影之声)

Hong Kong Federation of
Handicapped Youth
Hong Kong PHAB Association

The League for Persons with
Disabilities

Chinese Information Accessibility
Product Alliance (CAPA)
Chinese Web Accessibility
Community Group

Available accessible media services

	Government	Non-governmental organizations	Private companies
Mainland China	<ol style="list-style-type: none"> 1. China Digital Library for Visual Impairment (CDLVI, 中国盲人数字图书馆), China Braille Library (中国盲文图书馆) 2. Project of Audio Description Movies in Shanghai (2011) 3. Public Welfare Action of Cultural Aids to the Blinds with Audio Description Movies (2012) 4. IPTV Channel of Barrier-Free Movies (2010) 	<ol style="list-style-type: none"> 1. Cinema Without Sound http://site.douban.com/131105/ 	<ol style="list-style-type: none"> 1. Members of CAPA (Tencent, Baidu, Weibo, etc.) have improved the functions to benefit persons with visual impairment. 2. Applications that read texts on screen, such as Zhengdu (争渡) and Yongde (永德).
Hong Kong	<ol style="list-style-type: none"> 1. TV series for educating the society (raise social awareness) 2. Development Plan of Hong Kong Audio Description Films (2011-2012) 	<ol style="list-style-type: none"> 1. Audio Descriptive Movie Show for the Visually Impaired at AMC theater (2010) 2. Hong Kong Sign Language Browser (in Cantonese) 	
Taiwan	<ol style="list-style-type: none"> 1. Visually Accessible Information Course in National Taiwan Library 	<ol style="list-style-type: none"> 1. Audio Description Development Association: Learning Activities of Audio Description Films (2017) 	

Conclusions

1. The governments of these three regions have led the promotion of non-profit businesses, which can prevent non-governmental organizations and private companies from playing a more relevant role.
2. Accessibility services or activities usually take place in big cities like Shanghai or Taipei, while a great percentage of the disabled population lives in rural areas.
3. Most of the population lacks awareness on accessibility issues, which in the case of China is mainly changeable through education and a top-down approach.
4. Lack of a holistic approach to media accessibility for disabled people, who require multi-faceted services, such as sign language, audio description, Braille, or reading-screen systems.

References

- 殘疾歧視條例. <https://www.elegislation.gov.hk/hk/cap487>
- 聯合國殘疾人權利委員會就中國首份報告(包括香港特區的報告)發表的審議結論.
<http://www.legco.gov.hk/yr12-13/english/panels/ca/agenda/ca20121217.htm>
- 身心障礙者權益保障法. <http://law.moj.gov.tw/LawClass/LawAll.aspx?PCode=D0050046>
- 身心障礙者權利公約施行法. http://law.moj.gov.tw/News/news_detail.aspx?id=107425
- “十三五” 加快残疾人小康进程规划纲要.
http://www.ndrc.gov.cn/fzgggz/fzgh/ghwb/gjjgh/201705/t20170512_847259.html
- 台灣身心障礙者人權指標調查報告 (2015). <http://www.cahr.org.tw/eweb/uploadfile/20151218183151173.pdf>
- 香港康復計劃方案. http://www.lwb.gov.hk/chi/advisory/rac/rpp_report.htm
- 中华人民共和国残疾人保障法.
<http://www.hrichina.org/chs/zhong-hua-ren-min-gong-he-guo-can-ji-ren-bao-zhang-fa>

Thank you for listening!



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